

from outside the community. Most of the wells are dug by hand and are no more than 15 feet deep. In my district the water table is only 7 feet deep in sandy soil, which make the water brackish and not suitable for drinking even under the best of circumstances. Only when we consider that many residents have equally crudely dug outhouse located less than 50 feet from these wells, can we begin to appreciate how truly unfit for drinking this water is. Those who must have their water brought in must find places to store it. Sadly, the storage container is all too often an old chemical barrel, frequently with the skull and crossbones still visible. As if storing water in contaminated containers were not bad enough, storing the water causes the chlorine, which is what keeps our drinking water safe, to dissipate. I ask my colleagues, Mr. Speaker, to try to imagine living every day of their lives having to constantly plan how much water would be required for every meal, every bath, every laundry day, and every time they washed their dishes by hand. I think my colleagues will agree this would be very burdensome indeed.

It should be no surprise to my colleagues that this situation is also having very serious health consequences. The lack of public services means that the residents in these communities are, in effect, drinking, washing dishes and bathing in their own refuse. The incidence of hepatitis in the border region is two to three times higher than the national average, and in my district the hepatitis rate is five times the national average. Let me put that into perspective for my colleagues. Several years ago, one of the school districts in El Paso County tested the students for hepatitis. The results, Mr. Speaker, were shocking. By the age of 8 approximately 35 percent of the children had been infected with hepatitis A, and by the age of 35, up to 90 percent of colonia residents had been infected.

Unfortunately, hepatitis is not the only disease which threatens the residents of the colonias. Perhaps the most disturbing, and the most widely publicized, consequence of the environmental problems associated with the lack of proper sewage and drinking water is the alarmingly high number of anencephalic, or brainless babies which have been born in the region. Less dramatic but no less dangerous are two gastrointestinal infestations, amebiasis which is caused by a parasite, and shigellosis which is caused by bacteria. Both are endemic to the region and have rates of two to three times the national average. In addition, 15 percent of families in colonias report that at least one family member suffers from diarrhea every week. Finally, Mr. Speaker, cholera, which is virtually unknown in the United States, continues to threaten border communities. Last year, cholera bacteria were found in the drinking water in Ciudad Juarez, El Paso's sister city. We all know that disease knows no international boundary, nor does it respect any internal divisions within this country. It is imperative that we take steps to eliminate the health hazards faced by the residents of the colonias.

In the past, it has been difficult to secure funding for the EPA to provide grants to colonias. In fiscal year 1990, I was able to obtain \$15 million to establish a special revolving fund to make loans to Texas counties along the United States-Mexico border. Due to the high level of poverty in this area, the counties have not been able to adequately access these funds. These funds were used to create

the Colonia Plumbing Loan Program. The intention of this program was to fill a gap in State and Federal funding. While some monies have been provided for wastewater treatment, little funding has been provided to equip these homes with the necessary plumbing to utilize these services. As anyone who has been involved with the building or remodeling of a home knows, the modifications which must be made to a home in order to access water distribution and wastewater systems are costly.

My legislation would convert this program from a loan program to a grant program. As with other grants to the colonias, the State of Texas will match the Federal contribution, thus allowing us to maximize the allocation of these funds. Mr. Speaker, this bill provides us the opportunity to take an existing program that while well intended, did not meet the needs of its constituents and tailor the program to meet those needs.

Mr. Speaker, my second bill addresses the question of authorization in regard to grants for wastewater systems. After long and needless battles, this House has provided funding to the State of Texas to make grants to the colonias for wastewater treatment. These funds have been matched dollar for dollar by the State. Despite the fact that there are currently four statutes in force which authorize such expenditures, it is my understanding that an additional, agency-specific authorization, is necessary in order to secure funding for these hard-working Americans. Mr. Speaker, this legislation provides an additional authorization.

Mr. Speaker, several times a year this Congress is asked to assist victims of natural disasters. The residents of my district are only happy to do so. Now, however, they are asking for your help to address a situation no less devastating than that experienced by the victims of flood, fire, or hurricane. Victims of natural disasters must ensure conditions similar to that of the colonias for a short time. The residents of the colonias have been enduring their hardships for more than 30 years. The time has come to finally address the needs of poor Americans who live along the international border between the United States and Mexico.

Every American citizen is entitled to a certain basic standard of living, and we as a national should own up to our responsibility to take care of those who are least able to take care of themselves.

#### TRIBUTE TO RICHARD WITTENBERG

**HON. ELTON GALLEGLY**

OF CALIFORNIA

**HON. ANTHONY C. BEILENSON**

OF CALIFORNIA

**HON. HOWARD L. BERMAN**

OF CALIFORNIA

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 18, 1995*

Mr. GALLEGLY. Mr. Speaker, we are honored to pay tribute today to a talented and tireless public servant who has fought for the people of Ventura County for nearly three dec-

ades—the past 16 years as the county's chief administrative officer.

Richard Wittenberg has clearly left his mark on Ventura County and, in a broader sense, southern California. As the principal advisor to the Ventura County Board of Supervisors and the person charged with carrying out the board's decisions, he has helped see the county through the good and the bad, the rich years and the lean ones.

Through Richard's tenure, and thanks in no small part to his management style, Ventura County has served as a model for other municipalities around the State and Nation. His thoughtful leadership, his professionalism, and the fact that he truly cared about the fate of his 750,000 employers made Richard one of the most effective administrators to manage this or any county.

In addition to his numerous professional accomplishments, Richard and his wife Joyce have raised three very successful children and have played an active role in the social, cultural, and philanthropic fabric of the county and surrounding areas.

Mr. Speaker, we ask our colleagues to join us today in saluting Richard Wittenberg, who is leaving Ventura County to become chief administrative officer for Santa Clara County. We are sorry to see him go, but thank him for the very positive impact he has made in Ventura County and southern California. We wish him all the best in his new position.

#### THE COMMON SENSE LEGAL REFORM ACT

**HON. BRIAN P. BILBRAY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 18, 1995*

Mr. BILBRAY. Mr. Speaker, this week the Commerce Committee begins hearings on extremely important legal reform.

The Common Sense Legal Reform Act (H.R. 10) will restore commonsense to Federal securities laws by limiting strike lawsuits—suits filed by class action attorneys on behalf of shareholders whose stock investments have failed to live up to their expectations. Currently, a sharp drop or increase in a company's stock price can trigger a lawsuit, even if movement was caused by normal market events.

Mr. Speaker, high-tech, bio-tech and other growth companies are the job creators in our economy. American businesses like these, struggling to remain competitive in a global marketplace, fear these abusive strike lawsuits for good reason: Because these companies stock prices are the most volatile, and they can least afford the endless litigation resulting in huge legal fees, they are the targets of these frivolous lawsuits.

These lawsuits effect businesses' competitiveness on several levels. To settle these speculative suits, companies may be forced to layoff employees or simply never hire them at all. Worst of all, U.S. competitiveness on an international scale is shackled with a tax on innovation. Why? Because strike suits hit the most innovative, entrepreneurial firms in America.

Finally, Mr. Speaker, the small independent investor is the one who stand to gain the most